

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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GERALD D. BRODER,

Plaintiff,

v.

Civil Action No. 05-10475-MLW

VIISAGE TECHNOLOGY, INC.,
BERNARD BAILEY, WILLIAM K. AULET,
and DENIS K. BERUBE,

Defendants.

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NOTICE OF VOLUNTARY DISMISSAL

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiff Gerald D. Broder ("Plaintiff Broder") hereby voluntarily dismisses the above-captioned action of Broder v. Viisage Technology, Inc., et al., C.A. No. 05 10475 MLW (D. Mass., filed March 11, 2005) (the "Broder Action") without prejudice.

In support of this dismissal, Plaintiff Broder states:

1. there are, to date, eight class-action complaints (the "Related Actions") against defendants arising out of the same conduct, alleging the same causes of action and seeking the same restitution as that set forth in the complaint in the Broder Action;
2. the Defendants have not yet filed an answer or otherwise appeared in the Broder Action;
3. no class has been certified and no motion for certification has yet been filed in the Broder Action;
4. Plaintiff Broder has determined that he will not seek appointment as lead

plaintiff pursuant to Section 21D of the Securities Exchange Act of 1934 and will not be serving in any representative capacity for the Class;

5. Plaintiff Broder expects that a party other than himself will be appointed lead plaintiff and will vigorously prosecute the claims on behalf of the class, and, therefore, does not believe any member of the putative Class or any remaining party will be prejudiced through the dismissal of the Broder Action and thus does not give rise to any notice considered by Rule 23(d)(2) or (e) of the Federal Rules of Civil Procedure;

THEREFORE, Plaintiff Broder hereby dismisses his claims voluntarily and without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(i).

Dated: April 29, 2005

Respectfully submitted,

GERALD D. BRODER,
Plaintiff,
By his attorneys,

/s/ Susan E. Stenger
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